



09-11-03

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PATENT  
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OFFICE OF PETITIONS  
#14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wood et al.

Serial No.: 10/005,402

Filed: December 5, 2001

For: UNIVERSAL WAFER CARRIER FOR  
WAFER LEVEL DIE BURN-IN

Examiner: E. Karlsen

Group Art Unit: 2829

Attorney Docket No.: 2269-2825.10US  
(90-0051.12/US)

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV325771683US  
Date of Deposit with USPS: September 10, 2003  
Person making Deposit: Chris Haughton

REQUEST FOR RECONSIDERATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Reconsideration of the Decision having a mailing date of July 11, 2003 denying a Request for A Corrected Filing Receipt for the above-identified application showing that the filing date of the application is December 5, 2001, not a filing date of February 1, 2002 as is currently shown on the filing receipt.

As a review of the events in the above-identified application, the application was filed on December 5, 2001, having a Utility Patent Application Transmittal (1 page); Fee Transmittal (1 page, with duplicate copy); Check No. 1474 in the amount of \$740.00; Specification including title page, claims and single page abstract (14 pages); Copy of Combined Declaration and Power of Attorney for Continuation Patent Application (3 pages); Copy of Power of Attorney, Revocation of Prior Power of Attorney (37 C.F.R. § 1.36) and Request to Change

Correspondence Address (37 C.F.R. § 1.33(d)) with Statement Pursuant to 37 C.F.R. § 3.73 (2 pages); **Formal Drawings (3sheets, 6 figures)**; Information Disclosure Statement (2 pages); and Form PTO-1449 (1 page). This clearly demonstrates that all sheets of drawings were filed with the application and that drawing FIG. 4 was clearly filed with the application. Applicants further submit that this is clear evidence that any problem with the application as missing any item filed therewith has been created by the Patent and Trademark Office, not the Applicants.

As evidence of such materials for an application filed on December 5, 2001, Applicants again submit with this Request for Consideration, a copy of the date stamped postcard by the Patent and Trademark Office returned to Applicants showing such materials were included with the application filed on December 5, 2001, as Exhibit A hereto. Subsequently, the Patent and Trademark Office lost a sheet of drawings having drawing FIG. 4 thereon filed with the application causing an erroneous NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION being sent to Applicants. However, a timely request for a corrected filing date to comply with the mistakenly sent NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION having a mailing date of 12/16/2001, expired on February 26, 2002. However, Applicants did not know there would be an incorrect date of filing the application until receipt of an incorrect filing receipt having a mailing date of 03/04/2002, received by Applicants on March 11, 2002, a copy of which is submitted herewith as Exhibit B. It should be noted that the filing receipt mailed on 03/04/2002 only states that "If error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center." No where on such a filing receipt is any time period set forth for responding to correct such an error on the filing receipt. Applicants responded to the error on the filing receipt for the application by filing on March 27, 2002, a **REQUEST FOR CORRECTED FILING RECEIPT** for the above-identified application, a copy of which is attached hereto as Exhibit C.

Applicants submit that it is not fair to ask them to reply to an incorrect filing receipt listing an incorrect filing date for the application when the filing receipt was mailed after the period for reply to a mistakenly sent NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION had expired on February 26, 2002 which notice does not state anywhere that any date other than the filing date for the application would be accorded if the NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION was not challenged within two months of the date of mailing. While Applicants requested a corrected filing receipt for the application on March 27, 2002, more than two months after the mailing date of 12/16/2001, for the NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION, Applicants did so promptly after receiving a filing receipt for the application having an incorrect filing date thereon. Applicants filed such a response within thirty days of the receipt of the incorrect filing receipt for the above-identified application. Applicants submit that they are not in error as the application was filed with all sheets of drawings having all drawing figures as evidenced by the date stamped post card. Applicants submit that, at the worst, they failed to timely reply to the shortened period of two months to a mistakenly sent NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION after the Patent and Trademark Office lost a sheet of drawings for the application for which they failed to see the error of the Patent and Trademark Office sending such an incorrect NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION, and that they waited to respond to an incorrect filing receipt for the application which was mailed after any time period for response in the incorrect NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION had already expired. As the date stamped post card clearly shows, the application was filed with all drawing figures and the Patent and Trademark Office lost one sheet of the drawings having drawing FIG. 4 located thereon because a NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION was mailed in error to Applicants on 12/26/2001.

While it is clear that Applicants did not respond in a timely fashion to a NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION sent in error by the Patent and Trademark Office as it is further clear that the Patent and Trademark Office lost a sheet of the drawings filed with the application having drawing FIG. 4 located thereon and that the Patent and Trademark Office sent a filing receipt having an error thereon after any time period for challenging the incorrectly send NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION had expired. Applicants request that the application be accorded the filing date of December 5, 2001, since the Patent and Trademark Office committed the initial error in losing a sheet of the drawings having drawing FIG. 4 located thereon, committed the second error in erroneously, incorrectly sending the NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION, and committed another error in sending the filing receipt having an error thereon after any time period for response to the NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION had expired. Applicants submit that the error on the part of the Patent and Trademark Office of losing a sheet of drawings of the originally filed application and the error of sending a mistaken, incorrect NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION when the date stamped post card clearly shows that all the sheets of drawings and drawing figures were present in the application as filed, and, the error of mailing of an incorrect filing receipt after any time period for challenging the mistakenly sent NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION, without according the correct filing date for the application of December 5, 2001, are unfair, unduly harsh, and very inequitable. It is Applicants position that any issue as to the filing date of the above-identified application not being December 5, 2001, is a direct result of the actions of the Patent and Trademark Office in losing a sheet of drawings that the Patent and Trademark Office was on notice were included in the as filed application by the date stamped post card returned to Applicants. Applicants submit that the responsibility for the correction thereof should be on the part of the Patent and Trademark Office to correct the filing receipt of the application to December 5, 2001. Applicants take responsibility for their failure to timely meet a shortened period of response for a reply in the NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION that was

incorrectly sent to Applicants after the Patent and Trademark Office lost a sheet of the originally filed drawings and trying to correct an error on the filing receipt of the application received after any time period to challenge the mistakenly sent NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION had expired. Applicants submit that any error on their part is not as serious as the errors by the Patent and Trademark Office of losing a sheet of drawings filed with the application, being on notice that a sheet of drawings was lost by the filing of post card listing the contents of the as filed application, mistakenly, incorrectly sending a NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION, not sending a filing receipt for the application until after all time period for the mistakenly sent NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION had expired, and not acting in an fair administrative fashion by not acknowledging and correcting the mistakes of the Patent and Trademark Office in a fair resolution to the Applicants Request for Corrected Filing Receipt for the above-identified application. Applicants submit that in the above-identified application the Patent and Trademark Office must accept at least the errors on its part in a fair resolution to the true filing date of the above-identified application.

For the above reasons, Applicants request reconsideration of the decision to correct the filing date of the above-identified application to December 5, 2001.

In the event that the filing date for the above-identified application of December 5, 2001, having drawing FIG. 4 therein is not granted, concurrent with this Request for Reconsideration, Applicants are filing an Amendment under 37 CFR § 1.312 for entry in the application to delete any reference to drawing FIG. 4 in the specification and delete drawing FIG. 4 supplied in the application. In this manner, the above-identified application is clearly entitled to the filing date of December 5, 2001, as drawing FIG. 4 is not required in the application. As referenced on the NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION having a mailing date of 12/16/2001, Applicants can amend the application accordingly to remedy the problem of an incorrect filing date for the application being maintained upon the mistaken believe that drawing FIG. 4 is required in the present application based upon the Patent and Trademark Office losing a sheet of drawings of the as filed application.

In the event that this Request for Reconsideration is denied, Applicants request entry of the amendment filed under 37 CFR § 1.312 in the application and a filing date of December 5, 2001, be accorded the present application because, in any event, the application was complete as filed that date even if a drawing sheet having FIG. 4 thereon was lost in the Patent and Trademark Office.

Alternately, if entry of the amendment filed under 37 CFR § 1.312 is denied and this Request for Reconsideration is denied, Applicants are further submitting concurrently a **PETITION FOR WITHDRAWAL FROM ISSUE—ISSUE FEE PAID (37 C.F.R. § 1.313(c))** with this Request for Reconsideration.

As stated in such a petition for withdrawal from issue, to deny granting of the filing date of December 5, 2001, results in United States Patents 5,539,324; 5,663,654; 5,726,580; 5,859,539; 5,905,382; 6,087,845; 6,091,254; 6,342,789 and 6,535,012 being prior art to the above-identified application and, accordingly, resulting in the unpatentability of the allowed claims in the above-identified application over such prior art for a lack of co-pendency between the above-identified application and its parent preventing such patents from being prior to the present above-identified application.

In summary for the reasons set forth herein, as previously submitted on April 9, 2002, Applicants filed a Request for Corrected Filing Receipt requesting the Patent and Trademark Office correct the filing date for the subject application. Attached is a copy of the date stamped postcard indicating the filing of the Request along with a copy of the Request for Corrected Filing Receipt which includes a copy of the return receipt postcard showing filing of the application on December 5, 2001, as Exhibit C hereto. Applicants did not receive the corrected Filing Receipt showing the filing date of December 5, 2001. Please issue a corrected filing receipt in accordance with the annotations on the attached filing receipt.

The errors to be corrected are as follows:

**Please change the filing date to December 5, 2001**

Applicants understand that no additional fees are required for this request for reconsideration of the previous decision in the application. However, if the Office determines

Serial No. 10/005,402

that any fees are required for any reason in the above-identified application, the Commissioner is authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469, referencing attorney docket no. 2269-2825.10US.

Respectfully submitted,



James R. Duzan  
Registration No. 28,393  
Attorney for Applicants  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: September 10, 2003  
JRD/sls:djp  
Document in ProLaw

Exhibit A

PATENT & TRADEMARK OFFICE MAILROOM DATED 12/05/01  
THIS IS AN ACKNOWLEDGMENT THAT ON THIS DATE THE  
PATENT & TRADEMARK OFFICE RECEIVED:

Utility Patent Application Transmittal (1 page); Fee Transmittal (1 page, with duplicate copy); Check No. 1474 in the amount of \$740.00; Specification including title page, claims and single page abstract (14 pages); Copy of Combined Declaration and Power of Attorney for Continuation Patent Application (3 pages); Copy of Power of Attorney, Revocation of Prior Power of Attorney (37 C.F.R. § 1.36) and Request to Change Correspondence Address (37 C.F.R. § 1.33(d)) with Statement Pursuant to 37 C.F.R. § 3.73 (2 pages); Formal Drawings (3 sheets, 6 figures); Information Disclosure Statement (2 pages); and Form PTO-1449 (1 page)

**Invention** UNIVERSAL WAFER CARRIER FOR WAFER LEVEL  
DIE BURN-IN  
**Applicants** Wood et al.  
**Filing Date** December 5, 2001  
**Serial No.** Not yet assigned  
**Date Sent** December 5, 2001 via Express Mail,  
Label No. EL740547933US

**Client/Matter Docket No.** 2269/2825.10US

JRD/jml:djp

2825 10USC90-005112

11017 U.S. PTO

10/005402



12/05/01





## UNITED STATES PATENT AND TRADEMARK OFFICE



Page 1 of 2

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/005,402	02/01/2002	2858	740	2825.10US (90-0051.12)	3	8	2

24247  
TRASK BRITT  
P.O. BOX 2550  
SALT LAKE CITY, UT 84110

RECEIVED

MAR 11 2002

Trask Britt

CONFIRMATION NO. 1641

UPDATED FILING RECEIPT



\*OC000000007571723\*

Date Mailed: 03/04/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Alan G. Wood, Boise, ID;  
Tim J. Corbett, Boise, ID;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/211,089 12/14/1998 PAT 6,342,789  
WHICH IS A DIV OF 08/643,518 05/06/1996 PAT 5,905,382  
WHICH IS A CON OF 07/981,956 11/24/1992 PAT 5,539,324  
WHICH IS A CIP OF 07/575,470 08/29/1990 ABN

## Foreign Applications

If Required, Foreign Filing License Granted 12/20/2001

Projected Publication Date: 06/13/2002

Non-Publication Request: No

Early Publication Request: No

## Title

Universal wafer carrier for wafer level die burn-in

## Preliminary Class

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

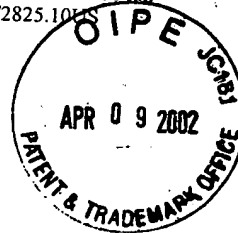


THE PATENT & TRADEMARK OFFICE MAILROOM DATE STAMPED  
HEREON IS AN ACKNOWLEDGMENT THAT ON THIS DATE THE  
PATENT & TRADEMARK OFFICE RECEIVED:

Request For Corrected Filing Receipt w/Certificate of Mailing (2 pages); Copy  
of Official Filing Receipt with annotations correcting errors (in red); Copy of  
return-receipt postcard.

Invention	UNIVERSAL WAFER CARRIER FOR WAFER LEVEL DIE BURN-IN
Applicants	Wood et al.
Filing Date	December 5, 2001
Serial No.	10/005,402
Date Sent	March 27, 2002 via First Class Mail
Client/Matter Docket No.	2269/2825.1015

JRD/sls:djp





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JRD/sls:djp

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Wood et al.

**Serial No.:** 10/005,402

**Filed:** December 5, 2001

**For:** UNIVERSAL WAFER CARRIER  
FOR WAFER LEVEL DIE BURN-IN

**Examiner:** Unknown

**Group Art Unit:** 2858

**Attorney Docket No.:** 2825.10US  
(90-0051.12)



**CERTIFICATE OF MAILING**

I hereby certify that this paper or fee along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 27, 2002  
Date of Deposit

Signature of registered practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

Deidra Pfeil

Typed/printed name of person whose signature is contained above

**REQUEST FOR CORRECTED FILING RECEIPT**

Application Processing Division  
Customer Correction Branch  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Attached is a copy of the official filing receipt received from the PTO in the above application. Issuance of a corrected filing receipt in accordance with the annotations on the attached filing receipt copy is respectfully requested.

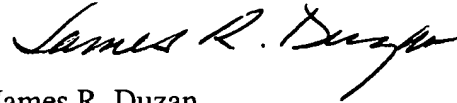
The errors to be corrected are as follows:

✓  
**Please change the filing date to December 5, 2001**

Also attached is a copy of the return receipt postcard showing receipt of the application on December 5, 2001.

These corrections are not due to any errors by applicants and no fee is due.

Respectfully submitted,



James R. Duzan  
Registration No. 28,393  
Attorney for Applicants  
TRASKBRITT  
P. O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: (801) 532-1922

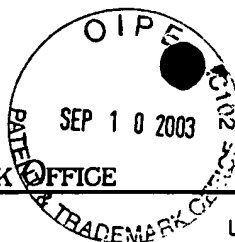
Date: March 27, 2002

JRD/sls:djp

Enclosure: Copy of Official Filing Receipt with annotations correcting errors  
Copy of return receipt postcard



## UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
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24247  
TRASK BRITT  
P.O. BOX 2550  
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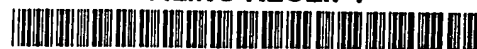
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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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2825 10USC90-005112

